

VILLAGE PRESIDENT  
Seth Speiser

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Ray Matchett, Jr.  
Mike Blaies  
Denise Albers  
Dean Pruett  
Mathew Trout  
Lisa Meehling

# VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER  
14 SOUTHGATE CENTER, FREEBURG, IL 62243  
PHONE: (618) 539-5545 • FAX: (618) 539-5590  
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR  
Tony Funderburg

VILLAGE TREASURER  
Bryan A. Vogel

PUBLIC WORKS DIRECTOR  
John Tolan

POLICE CHIEF  
Michael J. Schutzenhofer

VILLAGE ATTORNEY  
Weilmuenster & Keck, P.C.

October 23, 2017

## NOTICE

### MEETING OF LEGAL AND ORDINANCE COMMITTEE Annexation; Building; Zoning; Subdivision (Pruett/Albers/Matchett/Meehling)

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, October 25, 2017, at 5:30 p.m.**

### LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

#### I. Items to be Discussed:

##### A. Old Business

1. Approval of September 27, 2017 Minutes
2. Zoning Report/Nuisance Properties
3. Executive Session to Discuss Real Estate Transactions – 5 ICLS 120/2-(c)(5)

##### B. New Business

1. Old Freeburg Road Water Line
2. Cave Creek Properties Assessment Review
3. Ordinance #1639 – An Ordinance Rezoning N. Main Street Property from SR-1 to B-2
4. St. Clair County Notice of Public Hearing 3732 State Route 15

##### C. General Concerns

##### D. Public Participation

##### E. Adjourn

At said Legal and Ordinance Meeting, the Village Trustees may vote on whether or not to hold an Executive Session to discuss the selection of a person to fill a public office [5 ILCS, 120/2 - (c)(3)], litigation [5 ILCS, 120/2 - (c)(11)] personnel [5 ILCS, 120/2 - (c)(1)]; collective negotiating matters between the public body and its employees or their representatives [5 ILCS, 120/2- (c)(2), real estate transactions [5 ILCS, 120/2 - (c)(5)]; discussion of executive session minutes, [5 ILCS-120/2-(c)(21)]; discussion of purchase or lease of real property for the use of the public body, [5 ILCS-120/2-(c)(5)]; or discussion of the setting of a price for sale or lease of property owned by the public body, [5 ILCS-120/2-(c)(6)].

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Legal and Ordinance Committee Meeting  
(Annexation; Building; Zoning; Subdivision)  
(Pruett/Albers/Matchett/Meehling)  
Wednesday, September 27, 2017 at 5:30 p.m.

VILLAGE ADMINISTRATOR  
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The meeting of the Legal and Ordinance Committee was called to order at 5:30 p.m. by Chairman Dean Pruett on Wednesday, September 27, 2017, in the Freeburg Municipal Center. Members attending were Chairman Dean Pruett, Trustee Denise Albers, Trustee Ray Matchett, Trustee Lisa Meehling, Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Mike Blaies, Trustee Matt Trout, Zoning Administrator Gary Henning, Public Works Director John Tolan, Village Attorney Fred Keck, Police Chief Mike Schutzenhofer, Village Administrator Tony Funderburg and Office Manager Julie Polson.

### A. OLD BUSINESS:

1. Approval of August 30, 2017 Minutes: Trustee Lisa Meehling motioned to approve the August 30, 2017 minutes and Trustee Denise Albers seconded the motion. All voting yea, the motion carried.
2. Zoning Report/Nuisance Properties: Attorney Keck will work on this issue with Mr. Moerchen's attorney, Al Paulson. His client states we are not treating him the same as compared to his neighbor. The goal is to get the property cleaned up rather than have a block fence erected. Administrator Funderburg stated if Mr. Moerchen is running a business, he needs to follow the rules. He also stated we have tried to work with him but he has not complied with any deadline given.

**B. NEW BUSINESS:** Trustee Blaies asked if there was a farmer's market coming in, and Tony confirmed they were approved and a license issued.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** Trustee Lisa Meehling motioned to adjourn at 5:47 p.m. and Trustee Denise Albers seconded the motion. All voting yea, the motion carried.



Julie Polson  
Office Manager

Legal and Ordinance Committee Meeting  
Wednesday, September 27, 2017

LEGAL & ORDINANCE MEETING

OCTOBER 25<sup>th</sup>, 2017

Gary Henning Zoning Administrator

10 Occupancy Permits issued to date in October:

4 Building Permits issued to date in October:

1-Sign

3-Fence

Nuisances Corrected to date in October -- 14

Tony will email the board members the updated spreadsheet on current nuisances.

St. Clair County  
Board of Review  
10 Public Sq. Belleville, IL 62220  
(618-277-6600 ext. 2493, 2489, 2488)

Michael Crockett, Chairman

Date: 10/09/2017

VILLAGE OF FREEBURG  
MENARD, JERRY  
FREEBURG VILLAGE CLERK  
14 SOUTHGATE CENTER  
FREEBURG, IL 62243

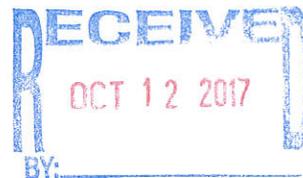
**Notice of Possible loss of over \$100,000.00 in assessed value**

The St. Clair County Board of Review has been petitioned by the appellant to review their assessment for possible reduction. In accordance with state statutes, Chapter 3 ILCS 200/16-55, we are required to advise you of the taxpayer's request. The property listed below is for the 2017 tax year.

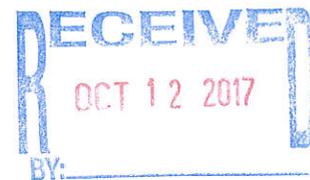
<b>PARCEL NUMBER</b>	<b>DOCKET NUMBER</b>	<b>TAX CODE</b>	<b>OWNER NAME</b>
14-19.0-202-002	2017-002715	17016	CAVE CREEK PROPERTIES INC

Respectfully yours,

St. Clair County  
Board of Review



Board of Review St. Clair County  
10 Public Square  
Belleville, IL 62220  
(618) 277-6600 ext. 2489/2493  
Date:10/09/2017



MENARD JERRY  
CAVE CREEK PROPERTIES INC  
FREEBURG VILLAGE CLERK  
14 SOUTHGATE CENTER  
FREEBURG IL 62243

700-702 N STATE ST  
FREEBURG, IL 62243-0000

You are hereby notified that there will be a hearing before the St. Clair County Board of Review on: **December 12, 2017 at 9:10 AM.**

**COMPLAINT:** 2017-002715

**ASSESSMENT YEAR:** 2017

**TO OWNER:** CAVE CREEK PROPERTIES INC

**OWNERS AGENT:**

**PARCEL NUMBER:** 14-19.0-202-002

**SITE ADDRESS:** 700-702 N STATE ST  
FREEBURG, IL 62243-0000

**LEGAL DESCRIPTION:**  
FREEBURG TWP SEC 19

**ASSESSOR'S VALUATION**

LAND/LOT	22,950
IMPROVEMENTS	356,882
FARMLAND	0
FARM BLDGS	0
<b>TOTAL</b>	<b>379,832</b>

This hearing is for the purpose of reviewing the assessment of the property described above. Failure to produce the required evidence necessary to process your complaint may result in no action being taken by the St. Clair County Board of Review.

You have five (5) days to contact this office if you can not attend on this date. FAILURE TO APPEAR at the time and place indicated will forfeit your right to a hearing before the Board of Review on this property for the year indicated.

**ORDINANCE NO. 1639**

**AN ORDINANCE AMENDING THE FREEBURG ZONING ORDINANCE  
FOR THE PURPOSE OF REZONING CERTAIN PROPERTY  
COMMONLY KNOWN AS THE RCC1, INC., (FISCHER) PROPERTY**

**WHEREAS**, the Village of Freeburg, St. Clair County, State of Illinois, presently has in force The Freeburg Zoning Ordinance, which is contained in the Freeburg Municipal Code, as amended from time to time; and

**WHEREAS**, the Village Combined Planning and Zoning Board has complied with the provisions of 65 ILCS 5/11-13-14 and Article 40-23-1 of the Freeburg Zoning Ordinance regarding amendments of regulations and zoning districts by holding a public hearing on October 16, 2017 to consider the request for a rezoning of certain property owned by Wilhelm and Molly Fischer and being purchased by RCC1, LLC, pursuant to notice as required by statute; and

**WHEREAS**, the property owners of certain property commonly known as the Fischer Property consisting of 0.9 acres +/- in the Village of Freeburg, Illinois have filed an application for rezoning the Property from SR-1 to B-2 (Highway Business);

**WHEREAS**, the map attached hereto, marked Exhibit A, is an accurate map of the property so sought to be rezoned and such rezoning shall be in accordance with the boundaries indicated on the map;

**WHEREAS**, as a result of said hearing, the Combined Planning and Zoning Board has made a recommendation to the Village Board that it approve the request for rezoning to B-2;

**WHEREAS**, the Board of Trustees has considered the recommendation of the Combined Planning and Zoning Board and has determined that it is in the best interest of the public health, safety and welfare and in compliance with the powers conferred upon the Village and the objectives and purposes set out in 65 ILCS 5/11-13-1, to adopt an amendment to the Freeburg Zoning Ordinance for the purpose of rezoning the RCC1, LLC., (Fischer) Property to allow B-2 uses in accordance with the map attached hereto as Exhibit A; and

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ST. CLAIR, COUNTY, ILLINOIS, AS FOLLOWS:**

**Section 1:** The Village of Freeburg Zoning Ordinance is hereby amended to change the zoning classification from Residential (SR-1) to B-2 (Highway Business) on a tract of land consisting of approximately 0.87 acres in accordance with the map attached hereto as Exhibit A and as more particularly described herein on Exhibit B.

See legal description attached hereto as Exhibit B and incorporated herein as if fully set forth.

**Section 2:** That all other provisions of said Zoning Ordinance, as amended from time to time, shall remain unchanged and in full force and effect except as specifically amended by this Ordinance.

**ORDINANCE NO. 1639 cont.**

**Section 3:** If a court of competent jurisdiction declares any provision of this Ordinance unconstitutional or invalid, that decision shall not affect the validity of the remainder of this Ordinance.

**Section 4:** This Ordinance shall be effective upon its passage, signing and publication as required by law.

PASSED by the Board of Trustees of the Village of Freeburg, Illinois, this 6th day of November, 2017.

AYES \_\_\_\_\_  
\_\_\_\_\_  
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NAYS \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT \_\_\_\_\_  
\_\_\_\_\_

ABSTAIN \_\_\_\_\_  
\_\_\_\_\_

Approved this 6th day of November, 2017.

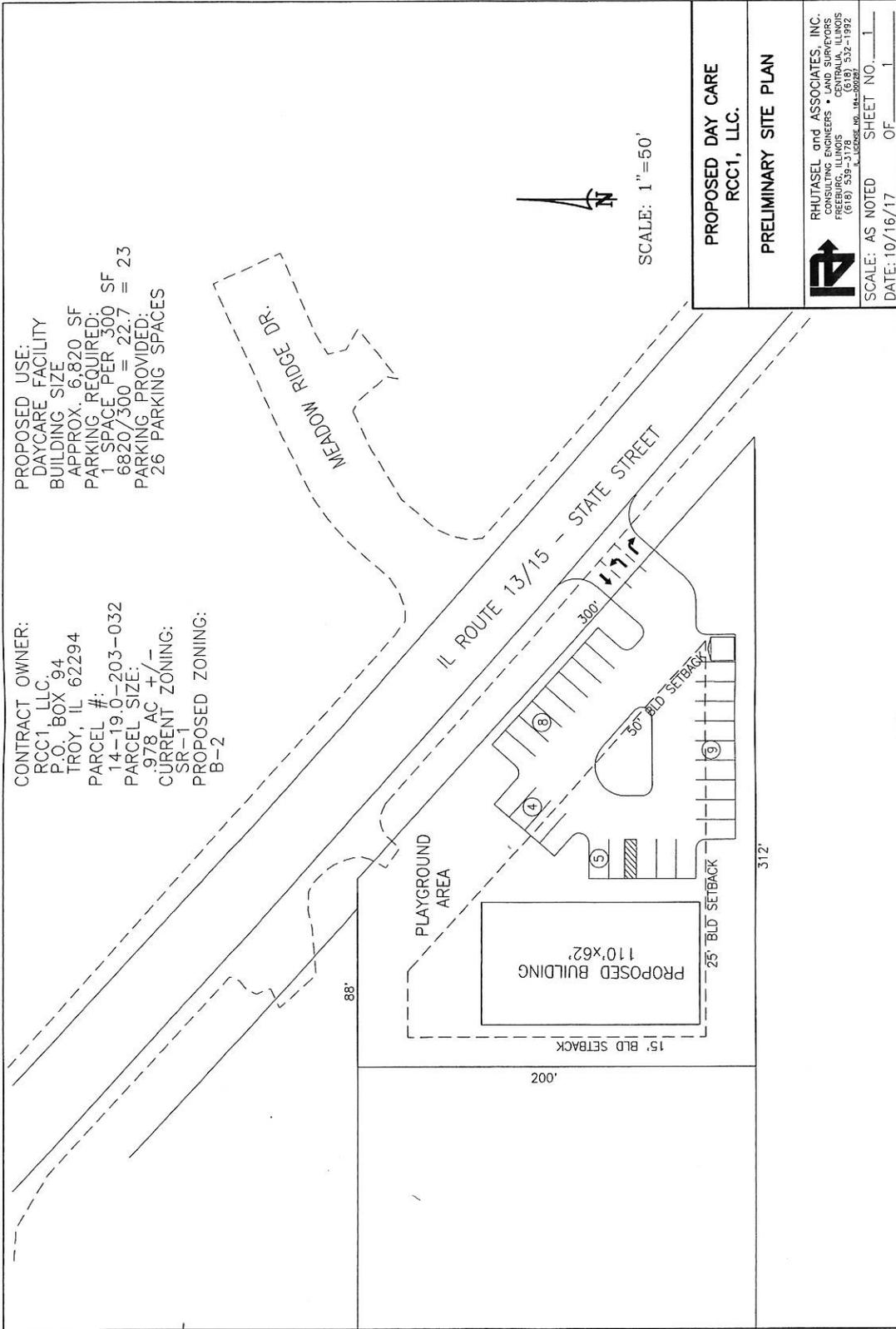
\_\_\_\_\_  
Seth E. Speiser  
Village President

ATTEST:

\_\_\_\_\_  
Jerry Menard, Village Clerk

Approved as to Legal Form:  
\_\_\_\_\_

Exhibit A



## EXHIBIT B

That part of the East Half of the Northeast Quarter of Section 19, Township 1 South, Range 7 West of the Third Principal Meridian, described as follows, to-wit:

Commencing at the pipe which marks the intersection of the South line of the 1 acre tract of land conveyed to Charles L. Tegtmeier by Deed dated November 10, 1925 and recorded November 12, 1925 in Book 656 at page 124 in the Recorder's Office of St. Clair County, Illinois (described hereafter) with the Southwesterly right of way with the Southwesterly right of way line of State Bond Issue Route No. 13, being the point of beginning of the tract described herein; running thence South 85 degrees 15 minutes West along the South line of said one acre tract 110.5 feet to a point; running thence South 4 degrees 45 minutes East a distance of 200 feet; running thence South 85 degrees 15 minutes East 354.9 feet to a stake in the Southwesterly right of way line of State Bond Issue Route No. 13; thence North 53 degrees 7 minutes West along the Southwesterly right of way line of State Bond Issue Route No. 13, 301 feet to a pipe at the point of beginning.

Said November 10, 1925 deed recorded in Book 656 at page 124 is described as follows, to-wit:

From a stone at the Southwest corner of the East Half of the Northeast Quarter, Section 19, Township 1 South, Range 7 West of the Third Principal Meridian, measure North 0 degrees 0 minutes East 1190 feet; thence North 0 degrees East 30 feet to an iron pipe to the point of beginning; thence from the point of beginning measure North 4 degrees 45 minutes West 290 feet to an iron pipe; thence to the right around a curve along the Southwesterly right of way line of State Highway 13 a distance of 420.5 feet to an iron pipe; thence South 89 degrees 16 minutes West a distance of 304.5 feet to the point of beginning.

EXCEPTING therefrom that part conveyed to the State of Illinois Department of Transportation by Warranty Deed recorded in Book 2754 at page 684 as Document No. 1989140 described as follows:

Part of the East 1/2 of the Northeast Quarter of Section 19, Township 1 South, Range 7 West of the Third Principal Meridian, St. Clair County, Illinois, more particularly described as follows:

Commencing at an iron pin at the Northeasterly corner of George Vaught Assessment Plat, reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois in Book of Plats "48" on page 42; thence on an assumed bearing for the purposes of this description of North 48 degrees 48 minutes 59 seconds West on the Southwesterly right of way line of SBI Route 13 as surveyed and staked for the Department of Transportation of the State of Illinois, a distance of 56.50 feet to the point of beginning of the tract of land herein described; thence continuing North 48 degrees 48 minutes 59 seconds West on said Southwesterly right of way line of SBI Route 13, a distance of 205.80 feet to a point; thence Northwesterly on said Southwesterly right of way line of SBI Route 13 on a curve to the right having a radius of 6,722.78 feet (chord bearing North 48 degrees 38 minutes 53 seconds West, chord distance of 39.46 feet), an arc distance of 39.46 feet to a point; thence South 89 degrees 41 minutes 39 seconds West, a distance of 14.98 feet to a point; thence Southwesterly on a curve to the left having a radius of 6,732.78 feet (chord bearing South 48 degrees 36 minutes 02 seconds East, chord distance of 50.68 feet), an arc distance of 50.68 feet to a point; thence South 48 degrees 48

minutes 59 seconds East, a distance of 105.80 feet to a point; thence South 54 degrees 31 minutes 37 seconds East, a distance of 100.50 feet to the point of beginning.

FURTHER EXCEPTING therefrom that part conveyed to the People of the State of Illinois, Department of Transportation recorded Warranty Deed recorded June 3, 2004 in Book 4036 at page 2250 as Document No. A01844850 described as follows:

Part of the East Half of the Northeast Quarter of Section 19, Township 1 South, Range 7 West of the Third Principal Meridian, St. Clair County, Illinois described as follows:

Commencing at the Northwest corner of Lot 5 of George D. Vaught Assessment Plat being part of Lot 15 and Lot 18B of the East Half of the Northeast Quarter of Section 19, Township 1 South, Range 7 West of the Third Principal Meridian, St. Clair County, Illinois, reference being had to the plat thereof recorded in Plat Book 48 at page 42 in the Recorder's Office, St. Clair County, Illinois and being on the existing Easterly right of way line of North Main Street (SA Route No. 4); thence on an assumed bearing of North 89 degrees 27 minutes 34 seconds East on the North line of said Lot 5, a distance of 186.53 feet to the Southeast corner of a tract of land as described in the Warranty Deed to Elroy Kasper and Rosemary Kasper as recorded in Book 2626 at page 904 on January 27, 1986; thence North 00 degrees 33 minutes 26 seconds West on the Westerly line of said tract of land 200.19 feet to the Northwest corner of said tract of land; thence North 89 degrees 28 minutes 49 seconds East on the North line of said Kasper tract of land, 95.16 feet to the existing Westerly right of way line of FA Route 103 (Illinois Route 13/15) and being the point of beginning.

From said point of beginning; thence Southeasterly on said existing Southwesterly right of way line the following (4) courses and distances: (1) thence 50.96 feet on a non-tangent curve to the left, having a radius of 6,732.78 feet, the chord of said curve is an assumed bearing of South 48 degrees 47 minutes 46 seconds East, 50.96 feet; (2) thence South 49 degrees 00 minutes 47 seconds East, 105.80 feet; (3) thence South 54 degrees 43 minutes 25 seconds East, 100.50 feet; (4) thence South 49 degrees 00 minutes 47 seconds East, 56.22 feet to the South line of said Kasper tract of land; thence South 89 degrees 27 minutes 34 seconds west on said South line, 23.18 feet; thence North 48 degrees 55 minutes 37 seconds West, 254.83 feet; thence Northwesterly 46.39 feet on a curve to the right, having a radius of 6,737.78 feet, the chord of said curve bears North 48 degrees 43 minutes 47 seconds West, 46.39 feet to the North line of said Kasper tract of land; thence North 89 degrees 28 minutes 49 seconds East on said North line, 7.47 feet to the point of beginning.

Excepting coal, oil gas and other minerals excepted or reserved in prior conveyances, if any.

Situated in the County of St. Clair and the State of Illinois.



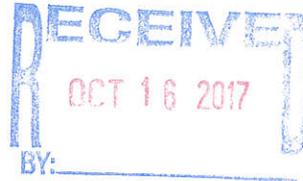
**COUNTY OF ST. CLAIR**  
DEPARTMENT OF BUILDING & ZONING

PHONE (618) 825-2715  
FAX (618) 277-0482



10 PUBLIC SQUARE  
BELLEVILLE, ILLINOIS 62220-1623  
www.co.st-clair.il.us

October 12, 2017



**Benjamin Sigman & Logan Sigman**  
**Christopher A. Luebbers**  
**Warren & Donna Schenewerk**  
**Christopher Harmon**  
**Arthur Ott**

**Jessica Pollock TR**  
**Neill & Nicole McDonald**  
**Terry & Barbara Finchum**  
**Stanley & Patricia Donald**  
**Village of Freeburg**

RE: 2017-17-SP -- Mary Feurer (Joe Feurer Trustee), Owners  
Don Gass, Applicant  
3732 State Route 15, Freeburg, Illinois

**DEAR SURROUNDING PROPERTY OWNERS:**

Enclosed please find a copy of a "Notice of Public Hearing" which will appear in the October 19, 2017 issue of the Freeburg Tribune.

Please read this notice since the subject property is in the vicinity of property owned by you. We cannot contact everyone by mail, so feel free to discuss this with your neighbors. You are welcome to attend the public hearing and voice your opinions on this particular case.

This public hearing before the Zoning Board of Appeals will be held in the St. Clair County Building, County Board Room – 5<sup>th</sup> Floor, #10 Public Square, Belleville, Illinois, on Monday, November 6, 2017 at 7:10 P.M.

If you have any questions, please feel free to call.

Sincerely,

ANNE MARKEZICH, Director  
Building & Zoning Department

AM:plc

NOTICE OF PUBLIC HEARING

BEFORE THE

ST. CLAIR COUNTY ZONING BOARD OF APPEALS

RE: 2017-17-SP

Notice is hereby given that a public hearing will be held before the Zoning Board of Appeals of St. Clair County, Illinois, on Monday, November 6, 2017 at 7:10 P.M., in the County Board Room, 5<sup>th</sup> Floor, St. Clair County Building, #10 Public Square, Belleville, Illinois, at which time and place the Board will consider the proposed variation to the County Zoning Ordinance as follows:

To consider a request for a Special Use Permit for a Planned Development pursuant to Section 40-9-3(H)(3) to allow an indoor storage warehouse in an "RR-1" Rural Residential Zone District, on the following described property: Lot 4 of "Phillip Fuesser Tracts Assessment Plat" located in T 1 S., R. 7 W., of the 3rd P.M., St. Clair County, Illinois containing 1.04-acres more or less.

Which is known as 3732 State Route 15, Freeburg, Illinois, in Freeburg Township.

Said request was made by Mary Feurer (Joe Feurer Trustee), 2701 Imbs Station Road, Millstadt, Illinois, Owners and Don Gass, 12 Schlueter Germaine Road, Freeburg, Illinois, Applicant.

All persons desiring to appear for or against said petition may appear at said hearing and be heard thereon.

Dated this 19<sup>th</sup> day of October, 2017.

ZONING BOARD OF APPEALS  
ST. CLAIR COUNTY, ILLINOIS

BY: Anne Markezich, Secretary

**FREEBURG**

3708 STATE RTE 15  
WARREN L & DONNA K SCHENEWERK

14280300032  
15.19

Subject Property



SIGMAN LOGAN, SIGMAN BENJAMIN &  
14330100004  
0.95  
3726 STATE RTE 15

3732 STATE  
MARY A FEURER

14330100005  
0.94

CHRISTOPHER HARMON  
14330100006  
0.82  
3738 STATE RTE 15

3726

3732

3738

179.5

179.5

158

208

**FREEBURG**

STATE RT 15



County of St Clair  
Building and Zoning Department  
Anne Markezich, Director

Subject Case #2017-17-SP -FEURER  
Parcel #14-33.0-100-005 - (3732 State Rte 15, Freeburg)

We are purchasing this property for the Home &  
Storage the building was used for

Boat & Junk Storage Now & we just

make it single. Building measure

130X45 Tin shed.

No Outdoor Storage

Open by appointment only.

Thanks  
Dm Gass

Been built in 1982